

From: Ex. 6 Personal Privacy (PP)
Sent: 3/20/2017 7:57:00 PM
To: Shea, Valois [Shea.Valois@epa.gov]
Subject: Re: Fw: answers to your questions

Hi Valois,

Thank you! This clarification is very helpful.

Ex. 6 Personal Privacy (PP)

From: Shea, Valois <Shea.Valois@epa.gov>
Sent: Monday, March 20, 2017 1:20:51 PM
To: Ex. 6 Personal Privacy (PP)
Subject: RE: Fw: answers to your questions

Hi Ex. 6 Personal Privacy (PP)

During our public comment period, EPA requirements allow me to answer only clarifying questions. I believe your questions are clarifying questions, so I am able to provide information from the UIC Draft Class V Area Permit fact sheet to answer your first two questions and information from UIC regulations to answer your third question.

The UIC Draft Class V Area Permit authorizes up to four deep injection wells that Powertech proposes using for the disposal of treated in-situ recovery waste fluids into the Minnelusa Formation. At this time, Powertech has proposed locations for two of these wells.

In their Class V permit application, Powertech originally proposed the construction of four to eight deep disposal wells (DDWs): up to four DDWs in the Minnelusa Formation and up to four DDWs in the Deadwood Formation. The EPA classified the DDWs proposed for injection into the Deadwood Formation as Class I wells, which are banned by South Dakota regulations. Powertech later withdrew their request for the Deadwood injection wells, so now only the two to four wells injecting into the Minnelusa Formation are proposed.

A description of the deep well injection fluids is found in the Class V Draft Area Permit Fact Sheet:
https://www.epa.gov/sites/production/files/2017-03/documents/class_v_draft_area_permit_fact_sheet.pdf
Section 7.8 Approved Injectate and Injectate Permit Limits, pages 50-51

EPA Underground Injection Control regulation 40 Code of Federal Regulations (CFR) §144.38 specifies the conditions under which UIC permits may be transferred:

§144.38 Transfer of permits.

(a) *Transfers by modification.* Except as provided in paragraph (b) of this section, a permit may be transferred by the permittee to a new owner or operator only if the permit has been modified or revoked and reissued (under §144.39(b)(2)), or a minor modification made (under §144.41(d)), to identify the new permittee and incorporate such other requirements as may be necessary under the Safe Drinking Water Act.

(b) *Automatic transfers.* As an alternative to transfers under paragraph (a) of this section, any UIC permit for a well not injecting hazardous waste or injecting carbon dioxide for geologic sequestration may be automatically transferred to a new permittee if:

(1) The current permittee notifies the Director at least 30 days in advance of the proposed transfer date referred to in paragraph (b)(2) of this section;

(2) The notice includes a written agreement between the existing and new permittees containing a specific date for transfer or permit responsibility, coverage, and liability between them, and the notice demonstrates that the financial responsibility requirements of §144.52(a)(7) will be met by the new permittee; and
(3) The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify or revoke and reissue the permit. A modification under this paragraph may also be a minor modification under §144.41. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph (b)(2) of this section.

To implement this regulation, the EPA requires operators to fill out the form found at the following website before the EPA will approve a transfer of ownership:

https://www.epa.gov/sites/production/files/2016-01/documents/7520-7_508c_0.pdf

I hope these answers help clarify things. More information on the proposed draft permits can be found at:

<https://www.epa.gov/uic/administrativerecord-dewey-burdock-class-iii-and-class-v-injection-well-draft-area-permits>

Thanks!

Valois

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From: Ex. 6 Personal Privacy (PP)
Sent: Saturday, March 18, 2017 7:46 PM
To: Shea, Valois <Shea.Valois@epa.gov>
Subject: Fw: Fw: New Hazardous Waste Dump in the Black Hills?

Valois,

I got this email and it says Powertech/Azarga is applying for 8 injection wells at the Dewey-Burdock site in South Dakota. It also says that the company can pull "in mining wastes from other regional mines and/or sell those waste disposal rights to another company later on."

Are these things true??

Ex. 6 Personal Privacy (PP)

From: knowmining@dyeus.mclean-nelson.com <knowmining@dyeus.mclean-nelson.com> on behalf of Responsible Mining PAC <admin@knowmining.org>

Sent: Wednesday, March 15, 2017 7:43 PM

To: Ex. 6 Personal Privacy (PP)

Subject: New Hazardous Waste Dump in the Black Hills?



Dear Ex. 6 Personal Privacy (PP)

You are receiving this email because you have shown interest in fighting ***Powertech /Azarga Uranium*** in the Black Hills. You also have friends who are connected to our common efforts.

Right now, we need to keep this ***Chinese Corporation*** from installing up to ***8 Deep Water Hazardous Waste Injection Wells*** in the Black Hills.

See Our Position Statement

These wells are claimed to be a component of a larger uranium mining project which many outstanding local volunteers and organizations have been fighting for many years. Today, things are really coming to a head.

Because so many sensible, dedicated folks have fought so long and hard to stop Powertech /Azarga, today, our combined success and very low uranium prices on the world market has made it uncertain if the company could ever begin mining uranium in the Black Hills.

However, ***NOW they are trying to ram through*** approval on hazardous waste deposition wells so if they end up unable to mine in Edgemont, they can at least make a profit by

pulling in mining wastes from other regional mines and/or sell those waste disposal rights to another company later on.

The EPA(*Environmental Protection Agency*) is Holding Local Hearings

in late April and May to receive public opinion - on how residents of the Black Hills area feel about companies hauling in hazardous waste from mining sites outside of South Dakota, and injecting it into an aquifer that so many people have grown to depend on.

Bottom Line:

Our organization is going to run ***ads on social media, radio and even local TV***- to publicize the need for local residents to attend one or more hearings - just long enough to express your grave concerns for your Black Hills water. High attendance at the hearings will boost local leverage with the EPA and complement the total effort in the most effective way.

Please read our full [Position Statement](#) and **Share** it with everyone you know - in every way that you can.

Thank you for being part of the most important grass roots movement in South Dakota!

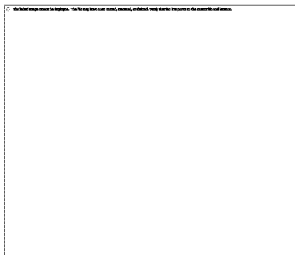
***See Our Position
Statement***

Adam McLean

Chairman - Council for Responsible Mining PAC

Donations are not yet tax deductible as we are awaiting

501c3 approval.



Paid for and Authorized by the
Council for Responsible Mining Political Action Committee
840 Husker Place